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The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
Community Sanitation Program
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(617) 624-5757 (617) 624-5777 – Fax

MEMORANDUM

TO: Operators of Farm Labor Camps

FROM: Steven Hughes, Director
MDPH, BEH, Community Sanitation Program

DATE: November 12, 2007

SUBJECT: Certification of Farm Labor Camps - 2008

Enclosed are the documents that must be completed and returned to this office prior to the issuance of a Certificate of Occupancy for the Farm Labor Camp that you operate. Your current Certificate expires on December 31, 2007. Workers may not occupy the property without a current Certificate. Please note that a Farm Labor Camp is defined at 105 CMR 420.020 as:

“... any tract of land, including all buildings, vehicles, and other structures located thereon, any part of which contains sleeping facilities made available in connection with the employment of laborers in farm activities and living apart from the operator’s household and which are occupied by or intended for occupancy by two or more such laborers or members of their families.”

The following documents must be completed and returned for Certificate renewal to be processed:

1. **APPLICATION** - The application must be fully completed and signed *by the owner/operator*. This office must be sent an application bearing an **original** signature. No photocopies will be accepted. If the owner is a corporation, the signature must be that of the president of the corporation. The type of ownership (trust, corporation, partnership or individual) must be noted. Applications that do not contain all of the required information will be returned to you and Certificate processing will be delayed.

2. ***FIRE INSPECTION*** - The Report of Inspection - Fire Department Form, must be fully completed, signed and dated by the appropriate municipal fire official. ***An original signature is required*** on the form to be submitted to this office. No photocopies will be accepted.
3. ***BUILDING INSPECTION*** - If the most recent Certificate of Building Inspection Form on file with the Department states that the validity date has passed or will pass prior to December 31, 2008, an up-to-date form must be submitted. A copy of the Certificate of Building Inspection Form is enclosed if you need to submit an up-to-date copy for 2008. ***An original signature is required.*** No photocopies will be accepted.
4. ***PRIVATE WELLS*** - At a minimum, an annual test for **TOTAL COLIFORMS** is required of all private (or PWS) drinking water wells to determine the bacteriologic quality of the well. Any additional water testing requirements, based on previous year's results, are outlined on the enclosed 2008 – Water Testing for (Private) Wells at FARM LABOR CAMPS Form **Green Sheet**. The tests must be conducted by a laboratory certified for drinking water by the Massachusetts Department of Environmental Protection (MDEP). Because of concerns noted in the past, **it will be necessary for the test to be taken by a representative of the laboratory and a chain of custody submitted to this office** along with the test results. **The chain of custody should identify both the exact water sample location as well as the name with signature of the laboratory person conducting the sampling.** Please contact MDEP at (617) 292-5500 for a listing of laboratories.

*** Please use the enclosed (current) forms and dispose of any old forms from previous years.**

To download a copy of additional forms, please visit our website at www.mass.gov/dph/dcs and click on “Farm Labor Camps” (available in both PDF and RFT formats).

In the past, this office has received several concerns regarding the visitation rights of workers. Specifically, it was relayed that owners were obstructing visitors from seeing workers in violation of Massachusetts General Law, Chapter 111, section 128H as well as 105 CMR 425.000. Copies of the statute and regulation (English and Spanish) are enclosed with this mailing.

Please note that inspections of facilities housing H2A or Agricultural Recruitment System (ARS) workers will be conducted by a representative of the Division of Career Services (formerly the Department of Employment and Training). Inspections of facilities housing H2A or ARS **and** other workers e.g., domestic workers at the same time will be inspected only by the Division of Career Services; however, if an operator houses domestic or other workers prior to the arrival of H2A or ARS workers, the Department of Public Health will conduct an inspection.

It is your responsibility to contact the appropriate agency for an inspection. Please note also that it is your responsibility, not the representative from the Division of Career Services to submit the required documents to this office.

If you have any questions, please do not hesitate to contact me at the Department of Public Health, (617) 624-5757 or Dave Williams, Senior Environmental Analyst at (781) 774-6612. You may reach the Division of Career Services at (617) 626-5587 or in Western Massachusetts at 413-452-4688.